

JONES & HILL

ATTORNEYS AT LAW
(Limited Liability Corporation)

J. CRAIG JONES*†
CRAIG RAY HILL*

*A PROFESSIONAL LAW CORPORATION
†ADMITTED TO PRACTICE IN LOUISIANA AND TEXAS

131 HIGHWAY 165 SOUTH
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LAKE CHARLES • OBERLIN • OAKDALE • ALEXANDRIA

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(318) 335-1333
ALL EMAIL RESPONSES SHOULD
BE DIRECTED TO
VALERIE MARICLE, PARALEGAL
TO J. CRAIG JONES
valerie@joneshilllaw.com

Via Facsimile (337) 783-3855
And Certified Mail
Receipt No.
7018 0680 0000 6434 6104
Return Receipt Requested

October 15, 2021

Acadia Parish Clerk of Court, 15th JDC
P.O. Box 992
500 NE Court Circle
Crowley, LA 70527

202110772 F

Re: John Guidry vs. Noble Drilling (U.S.) LLC, Noble Drilling Services, Inc., Noble Drilling Holding, LLC, Noble Leasing II (Switzerland) GMBH, Shell Oil Company and Shell Offshore, Inc. — New Suit Filing

Dear Clerk of Court:

Enclosed please find a Petition for Damages, Request for Notice of Trial Date and Order for Trial by Jury to be filed. After please forward to the Judge for consideration and signature.

Thereafter, please serve per service instructions. Further, please return a certified copy to our office. I have enclosed a copy of the Petition for Damages as well as a self-addressed stamped envelope for your convenience.

Also enclosed please find our firm's check in the amount of \$950.00 to cover filing costs.

Thanking you for your usual courtesies and kind services, I remain

Yours truly,
Valerie Maricle

Paralegal to J. Craig Jones
Enclosures

PAGE 03/16

JONES HILL LAW

10/15/2021 02:53PM 13183351934

PAY TO THE
ORDER OF

JONES & HILL, LLC II
GENERAL ACCOUNT
131 HWY. 168 SOUTH
OAKDALE, LA 71463
(318) 335-1333

FIRST FEDERAL BANK
OF LOUISIANA
LAKE CHARLES, LA 70602
84-7034/2652

105239

10/15/2021

\$

**950.00

DOLLARS

Security Number, Date of Birth

□

AUTHORIZED SIGNATURE

Nine hundred fifty and 00/100

15th JDC - Parish of Acadia

MEMO

PFD

105239 12652703451 50896129

JONES & HILL, LLC II GENERAL ACCOUNT 50896129

105239

10/15/2021 15th JDC - Parish of Acadia

PFD

950.00

Jones & Hill, LLC II

PFD

950.00



JONES AND HILL, LLC

ATTORNEY AT LAW
(A PROFESSIONAL LAW CORPORATION)

J. Craig Jones†

* A Professional Law Corporation
† Admitted to Practice in Louisiana and Texas

131 HIGHWAY 165 SOUTH
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TELEPHONE (318) 335-1333
FACSIMILE (318) 335-1934

WRITER'S DIRECT DIAL NUMBER:
(318) 335-1333
crj@joneshilllaw.com

FACSIMILE TRANSMITTAL SHEET

To: **Acadia Parish Clerk of Court** From: **J. Craig Jones, Esq.**
SENDER: Valerie Maricle
Paralegal to J. Craig Jones

COMPANY: DATE:

OCTOBER 15, 2021

FAX NO: (337) 783-3855

TOTAL NO. OF PAGES INCLUDING
COVER:
16

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Re: New Suit Filing

YOUR REFERENCE NUMBER:

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

Attention: This facsimile transmission contains privileged communications and is not intended for general dissemination. If your name does not appear above or if you have received this transmission by mistake read no more. Immediately call (318) 335-1333 for instructions on how to return this transmission.

FIFTEENTH JUDICIAL DISTRICT COURT
PARISH OF ACADIA
STATE OF LOUISIANA

JOHN GUIDRY ::
VERSUS :: DOCKET NO. 202110772 F
NOBLE DRILLING (U.S.) LLC, ::
NOBLE DRILLING SERVICES, INC., ::
NOBLE DRILLING HOLDING, LLC, ::
NOBLE LEASING II (SWITZERLAND) ::
GMBH, SHELL OIL COMPANY, ::
AND SHELL OFFSHORE, INC. ::

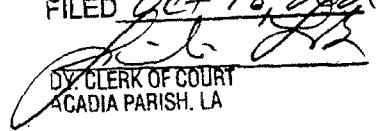
ORDER FOR TRIAL BY JURY

CONSIDERING THE FOREGOING PETITION;

IT IS ORDERED that John Guidry's Motion For Trial By Jury is GRANTED.

Thus read and signed this _____ day of _____ in Acadia Parish,
Louisiana, 2021.

DISTRICT JUDGE, 15TH JDC

FAT
FILED Oct 18 2021

CLERK OF COURT
ACADIA PARISH, LA

FIFTEENTH JUDICIAL DISTRICT COURT
PARISH OF ACADIA
STATE OF LOUISIANA

JOHN GUIDRY ::
VERSUS :: DOCKET NO: 202110772 F
NOBLE DRILLING (U.S.) LLC, ::
NOBLE DRILLING SERVICES, INC., ::
NOBLE DRILLING HOLDING, LLC, ::
NOBLE LEASING II (SWITZERLAND) ::
GMBH, SHELL OIL COMPANY, ::
AND SHELL OFFSHORE, INC. ::
::::::::::::::::::::::::::::::::::

REQUEST FOR NOTICE OF TRIAL DATE

TO THE CLERK OF COURT OF THE PARISH OF ACADIA, STATE OF LOUISIANA:

PLEASE TAKE NOTICE that J. Craig Jones, attorney for plaintiff herein, John Guidry, hereby requests written notice of the date of trial of the above-captioned matter, as well as notice of hearings (whether on merits or otherwise), orders, judgments, and interlocutory decrees, and any and all formal steps taken by the parties herein, the Judge, or any member of the Court as provided in Louisiana Code of Civil Procedure, particularly Articles 1572, 1913, and 1914.

Respectfully submitted:

JONES AND HILL, LLC

By:

J. Craig Jones, 17648
131 Highway 165 South
Oakdale, Louisiana 71463
Telephone: (318) 335-1333
Facsimile: (318) 335-1934
Attorney for Plaintiff
John Guidry

Fax
FILED Oct 18, 2021
R.L. [Signature]
CLERK OF COURT
ACADIA PARISH, LA

FIFTEENTH JUDICIAL DISTRICT COURT
PARISH OF ACADIA
STATE OF LOUISIANA

JOHN GUIDRY ::
VERSUS :: DOCKET NO: 202110772 F
NOBLE DRILLING (U.S.) LLC, ::
NOBLE DRILLING SERVICES, INC., ::
NOBLE DRILLING HOLDING, LLC, ::
NOBLE LEASING II (SWITZERLAND) ::
GMBH, SHELL OIL COMPANY, ::
AND SHELL OFFSHORE, INC. ::

PETITION FOR DAMAGES

COMES NOW John Guidry ("Guidry") who for his petition for damages avers to
wit:

1.

Made Defendants herein are:

- a. Noble Drilling (U.S.), LLC;
- b. Noble Drilling Services, Inc.;
- c. Noble Drilling Holding, LLC;
- d. Noble Leasing II (Switzerland), GmbH, (Defendants (a) through (d) are hereinafter sometimes collectively referred to as the "Noble Defendants"); and
- e. Shell Oil Company; and
- f. Shell Offshore, Inc. (Defendants (e) & (f) are hereinafter sometimes collectively referred to as the "Shell Defendants").

2.

This action is brought under 33 U.S.C. § 905(b) of LHWCA as modified by the General Maritime Law of the United States. Thus, this Court has exclusive jurisdiction

of this civil action pursuant to the "savings to suitors" clause contained in 28 U.S.C. § 1333 which proceeds from Section 9 of the Judiciary Act of 1789.

3.

Venue is proper under Article 42 of the Louisiana Code of Civil Procedure, especially Article 42 (5) of the Louisiana Code of Civil Procedure.

4.

Your plaintiff herein, Guidry, age 42, is a person of the full age of majority and a resident of Basile, Acadia Parish, Louisiana.

5.

At all times pertinent hereto, Guidry was employed by Pro-T Co. Inc. of Broussard, Louisiana ("Pro-T").

6.

At times pertinent hereto, Guidry was a filtration technician employed by Pro-T and working in the Gulf of Mexico, off the Louisiana coast aboard the *GLOBETROTTER II*.

7.

Guidry worked full time for Pro-T and received significant remuneration, plus found and fringe benefits.

8.

Noble Drilling (U.S.), LLC is, upon information and belief, a foreign limited liability company, organized under and existing by virtue of the laws of the State of Delaware, having its principal place of business in Sugar Land, Texas. Noble Drilling (U.S.), LLC is licensed to do and doing business in this State and has designated its principal Louisiana business establishment location as 3867 Plaza Tower Dr., Baton Rouge, Louisiana. Noble Drilling (U.S.), LLC may be cited to appear and answer herein by serving its registered agent for service of process; namely, CT Corporation System, 3867 Plaza Tower Dr., Baton Rouge, Louisiana.

9.

Noble Drilling Services, Inc. is, upon information and belief, thought to be a foreign corporation, organized and existing by virtue of the laws of the State of Delaware, having its principal place of business in Sugar Land, Texas. However, unlike Noble Drilling (U.S.), LLC, Noble Drilling Services, Inc. is neither licensed to do business, nor has it appointed an agent for service of process in Louisiana in the manner provided by law. Noble Drilling Services, Inc. does business in the State of Louisiana, and thus may be cited to appear and answer herein by serving its statutory agent for service of process; namely, Hon. R. Kyle Ardoin, Louisiana Secretary of State, 8585 Archives Avenue, Baton Rouge, Louisiana.

10.

Noble Drilling Holding, LLC is, upon information and belief, thought to be a foreign corporation, organized and existing by virtue of the laws of the State of Delaware, having its principal place of business in Sugar Land, Texas. However, unlike Noble Drilling (U.S.), LLC, Noble Drilling Holding, LLC is neither licensed to do business, nor has it appointed an agent for service of process in the State of Louisiana in the manner provided by law. Noble Drilling Holding, LLC does business in the State of Louisiana and thus may be cited to appear and answer herein by serving its statutory agent for service of process; namely, Hon. R. Kyle Ardoin, Louisiana Secretary of State, 8585 Archives Avenue, Baton Rouge, Louisiana.

11.

Noble Leasing II (Switzerland) GmbH is thought to be a corporation, or other business entity, organized and existing by virtue of the laws of Switzerland (officially known as the "Swiss Confederation") a landlocked country located in continental Europe. Noble Leasing II (Switzerland) GmbH may thus be cited to appear and answer herein by service of process through the provisions of the Hague Convention.

12.

Shell Oil Company is thought to be a foreign corporation organized under and existing by virtue of the laws of the State of Delaware, having its principal place of business in Houston, Texas. Shell Oil Company is licensed to do and doing business in the State of Louisiana and has designated its principal Louisiana business establishment to be located at 3867 Plaza Tower Dr., Baton Rouge, Louisiana. Shell Oil Company may be cited to appear and answer herein by serving its agent for service of process; CT Corporation System, 3867 Plaza Tower Dr., Baton Rouge, Louisiana.

13.

Shell Offshore, Inc. is thought to be a foreign corporation organized and existing by virtue of the laws of the State of Delaware, having its principal place of business in Houston, Texas. Shell Offshore, Inc. is licensed to do and doing business in the State of Louisiana, and has designated its principal Louisiana business establishment to be located at 5615 Corporate Blvd., Ste. 400B, Baton Rouge, Louisiana. Shell Offshore, Inc. may be cited to appear and answer herein by serving its registered agent for service of process; namely, CT Corporation System, 3867 Plaza Tower Dr., Baton Rouge, Louisiana.

14.

The GLOBETROTTER II ("*GLOBETROTTER II*"), is an ultra-deep-water drillship 620 feet in length, 105 feet in breadth, and 62 feet in depth, as is more fully described and shown in Exhibit "A".

15.

At all times pertinent hereto, the Noble Defendants owned, operated, manned, managed and controlled the ultra-deep-water drillship *NOBLE GLOBETROTTER II*. In the alternative, at all times pertinent hereto, the Shell Defendants managed and controlled the *GLOBETROTTER II*. In the further alternative, at all times pertinent hereto, the Noble Defendants and the Shell Defendants jointly managed and controlled the *GLOBETROTTER II*.

16.

It has become necessary to institute this civil action as a result of injuries and damage suffered by Guidry on or about Saturday, August 28, 2021 as a consequence of the negligence, negligence *per se*, carelessness, and omission of duty, as well as the recklessness, gross negligence, and willful and wanton conduct on the part of the Noble Defendants and the Shell Defendants, either acting alone or in concert including, but not limited to, the conscious decision made by the Noble Defendants and Shell Defendants in the days leading up to and during Hurricane Ida – one of the most powerful and damaging hurricanes to ever strike the United States.

17.

Although Hurricane Ida made landfall along the Southeast Louisiana coast on Sunday, August 29, 2021, numerous around-the-clock warnings were issued days in advance about the storm's gathering strength. In the days before Saturday, August 28, 2021, the National Weather Service, the National Hurricane Center and the European Hurricane Model pin-pointed Hurricane Ida's probable landfall to be along the Louisiana coast between Morgan City, Louisiana and Grand Isle, Louisiana. As projected, Hurricane Ida made landfall in Southeast Louisiana, near Port Fourchon with sustained winds of 150 miles per hours, with wind gusts up to 165 mph.

18.

At all times pertinent hereto, the *GLOBETROTTER II* was working in the Gulf of Mexico, off the Louisiana coast for the benefit of, and at the direction of, the Noble Defendants and the Shell Defendants. In the days leading up to Saturday, August 28, 2021, Hurricane Ida entered the Gulf of Mexico taking direct aim at the Southeast Louisiana coast.

19.

Unfortunately for the *GLOBETROTTER II* and her crew and all aboard, neither the Noble Defendants nor the Shell Defendants cared about the catastrophic hazards posed to the *GLOBETROTTER II* and her crew members.

20.

On August 28, 2021, Guidry was aboard the *GLOBETROTTER II* in the Gulf of Mexico. Despite the undeniable path of Ida, the Noble Defendants and the Shell Defendants continued to operate the *GLOBETROTTER II* in direct defiance and willful disregard of and indifference to all weather information made available to the *GLOBETROTTER II*, as well as the broadcasted weather information made available to mariners by the National Weather Service and the National Hurricane Center.

21.

In the hours before Hurricane Ida's arrival at the place where the *GLOBETROTTER II* was then located in the Gulf of Mexico, the *GLOBETROTTER II* unlatched from its sub-sea drilling activities and headed directly into the approaching storm. The Noble Defendants and the Shell Defendants then placed *GLOBETROTTER II* on a collision course with Hurricane Ida – within ten (10) miles of her eyewall.

22.

The *GLOBETROTTER II* and her crew and all aboard were exposed to 150 miles per hour winds, gusting up to 165 miles per hours and 80-95 foot sea swells causing the *GLOBETROTTER II* to violently sway, yaw and pitch so severely that her crew was, at times, forced to walk on her walls, rather than the interior walkways. The sway was so extreme that the *GLOBETROTTER II* almost capsized several times and that all on board thought they were going to die.

23.

Guidry was violently tossed by the extreme weather that struck the *Globetrotter II*, causing him to be slammed by walls and the rising and pitching decks, all of which caused severe, permanent and life changing injuries to your plaintiff.

24.

The injuries suffered by Guidry were cause by the legal fault, negligence, negligence *per se*, carelessness, and omission of duty, as well as by the recklessness, gross negligence and willful and wanton conduct on the part of the Noble Defendants and the Shell Defendants, either acting alone or in concert, without any legal fault, negligence, carelessness or omission of duty on the part of Guidry, causing or contributing in any way thereto.

25.

The legal fault, negligence, negligence *per se*, carelessness, and omission of duty, as well as the recklessness, gross negligence, and willful and wanton conduct on the part of the Noble Defendants and the Shell Defendants, either acting alone or in concert, consisted of the following acts and omissions:

- a. In failing to instruct, train, and supervise the crew of the *GLOBETROTTER II* or, in the alternative, in failing to adequately instruct, train, and supervise the crew of the *GLOBETROTTER II*;
- b. In that the *GLOBETROTTER II* was not in the charge of competent persons and crew;
- c. In failing to timely and seasonably order the *GLOBETROTTER II* to move off of its drilling location and out of the path of Hurricane Ida;
- d. In failing to timely and seasonably move the *GLOBETROTTER II* off its drilling location and out of the path of Hurricane Ida;
- e. In failing to promulgate, adopt, and enforce safety practices, safety policies, and safety procedures concerning hazard mitigation during a hurricane or, in the alternative, in failing to promulgate, adopt, and enforce adequate safety practices, safety policies, and safety procedures concerning hazard mitigation during a hurricane;

- f. In failing to timely and seasonably evacuate the *GLOBETROTTER II* of all nonessential personnel well in advance of the approach of Hurricane Ida;
- g. In failing to insist that the *GLOBETROTTER II* be brought into the nearest port, before she was hit by Hurricane Ida;
- h. In violating applicable United States Coast Guard, and BSEE regulations.

26.

Guidry sustained serious and potentially permanent injuries to his body and mind, the full extent of which has not yet been determined, due to and because of the legal fault, negligence, negligence *per se*, carelessness and omission of duty, as well as the recklessness, gross negligence and willful and wanton conduct on the part of the Noble Defendants and the Shell Defendants, either acting alone or in concert. More particularly, Guidry has been caused and may be caused to suffer:

- a) Pain, humiliation and suffering;
- b) Inconvenience;
- c) Loss of enjoyment of life;
- d) Bodily injuries;
- e) Lost past wages;
- f) Loss of future wage earning capacity;
- g) Scarring;
- h) Mental anguish, aggravation;
- i) Medical expenses, both past & future.

27.

In addition to all compensatory damages to which Guidry is otherwise entitled to receive, your plaintiff is also entitled to punitive damages because the Noble Defendants and Shell Defendants, acted, either alone or in concert, with willful and wanton disregard of Guidry's rights to, among other things, a safe workplace. The Noble and Defendants and the Shell Defendants were well aware of the grave danger to human life presented by

the Hurricane Ida in the area of the Gulf of Mexico where the *GLOBETROTTER II* and her crew and all aboard *GLOBETROTTER II* were working but did absolutely nothing to eliminate or mitigate those hazards. Rather, the Noble Defendants and the Shell Defendants ignored the grave hazard to human life presented by Hurricane Ida and ordered the *GLOBETROTTER II* crew members to continue working.

28.

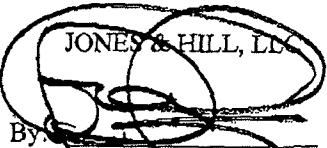
The acts and omissions of the Noble Defendants and the Shell Defendants involved a callous disregard for Guidry's safety due to the extreme degree of danger and considering the probability and magnitude of potential harm to human life. Moreover, the Noble and Shell Defendants had actual, subjective knowledge of the extreme risk of harm to human life involved, and consciously disregarded the risk by ordering that the crew of the *GLOBETROTTER II* to continue to work and refused to allow the *Globetrotter II* to immediately evacuate and seek shelter from Hurricane Ida.

29.

Guidry is entitled to and demands a trial by jury.

WHEREFORE, Guidry prays that Defendants, Noble Drilling (U.S.), LLC, Noble Drilling Services, Inc., Noble Drilling Holding, LLC, Noble Leasing II (Switzerland) GmbH, Shell Oil Company, and Shell Offshore, Inc. be served with a copy of this, Guidry's, Petition for Damages and that these Defendants be cited to appear and answer herein; and that after the lapse of all legal delays and due proceedings had, there be judgement in favor of Guidry and against these Defendants, in an amount reasonable in the premises, together with legal interest and for all costs of these proceedings.

Respectfully submitted:


JONES & HILL, LLC

By:

J. Craig Jones
(La. Bar. Roll # 17648)
Craig Ray Hill
(La. Bar. Roll # 23780)
131 Hwy 165 S
Oakdale, Louisiana 71463
Attorney for Plaintiff
John Guidry

PLEASE SERVE:

Noble Drilling (U.S.), LLC
Through its registered agent
For service of process:
C T Corporation System
3867 Plaza Tower Dr.
Baton Rouge, Louisiana

Noble Drilling Services, Inc.
Through its statutory agent
For service of process:
Hon. R. Kyle Ardoin,
Louisiana Secretary of State
8585 Archives Avenue
Baton Rouge, Louisiana

Noble Drilling Holding, LLC
Through its statutory agent
For service of process:
Hon. R. Kyle Ardoin,
Louisiana Secretary of State
8585 Archives Avenue
Baton Rouge, Louisiana

Noble Leasing II (Switzerland) GmbH
Hague Convention Service

Shell Oil Company
Through its registered agent
For service of process:
C T Corporation System
3867 Plaza Tower Drive
Baton Rouge, Louisiana

Fax
FILED *Oct 18, 2021*
J. Craig Jones
CLERK OF COURT
ACADIA PARISH, LA

Shell Offshore, Inc.
Through its registered agent
For service of process:
C T Corporation System
3867 Plaza Tower Drive
Baton Rouge, Louisiana

FIFTEENTH JUDICIAL DISTRICT COURT
PARISH OF ACADIA
STATE OF LOUISIANA

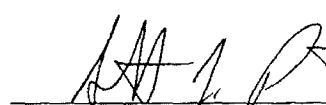
JOHN GUIDRY ::
VERSUS :: DOCKET NO. 2021 10772 "F"
NOBLE DRILLING (U.S.) LLC, ::
NOBLE DRILLING SERVICES, INC., ::
NOBLE DRILLING HOLDING, LLC, ::
NOBLE LEASING II (SWITZERLAND) ::
GMBH, SHELL OIL COMPANY, ::
AND SHELL OFFSHORE, INC. ::
::::::::::::::::::::::::::::::::::

ORDER FOR TRIAL BY JURY

CONSIDERING THE FOREGOING PETITION;

IT IS ORDERED that John Guidry's Motion For Trial By Jury is GRANTED. *upon
posting of a \$7500.00 Bond*

Thus read and signed this 21st day of October, in Acadia Parish,
Louisiana, 2021.


DISTRICT JUDGE, 15TH JDC

REC'D BY AP COC
2021 OCT 21 AM10:11:38

FAX
FILED Oct 18, 2021
JL
BY CLERK OF COURT
ACADIA PARISH, LA

FIFTEENTH JUDICIAL DISTRICT COURT
PARISH OF ACADIA
STATE OF LOUISIANA

JOHN GUIDRY

::

VERSUS

::

DOCKET NO: 2021 10772 "F"

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NOBLE DRILLING (U.S.) LLC,

::

NOBLE DRILLING SERVICES, INC.,

::

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AND SHELL OFFSHORE, INC.

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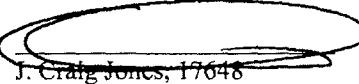
REQUEST FOR NOTICE OF TRIAL DATE

TO THE CLERK OF COURT OF THE PARISH OF ACADIA, STATE OF LOUISIANA:

PLEASE TAKE NOTICE that J. Craig Jones, attorney for plaintiff herein, John Guidry, hereby requests written notice of the date of trial of the above-captioned matter, as well as notice of hearings (whether on merits or otherwise), orders, judgments, and interlocutory decrees, and any and all formal steps taken by the parties herein, the Judge, or any member of the Court as provided in Louisiana Code of Civil Procedure, particularly Articles 1572, 1913, and 1914.

Respectfully submitted:

JONES AND HILL, LLC

By: 

J. Craig Jones, 17648
131 Highway 165 South
Oakdale, Louisiana 71463
Telephone: (318) 335-1333
Facsimile: (318) 335-1934
Attorney for Plaintiff
John Guidry

RECD BY AP COC
2021 OCT 21 AM 10:11:32

Fax
FILED *Oct 18, 2021*
J. Craig Jones
BY CLERK OF COURT
ACADIA PARISH, LA

FIFTEENTH JUDICIAL DISTRICT COURT
PARISH OF ACADIA
STATE OF LOUISIANA

JOHN GUIDRY ::
VERSUS :: DOCKET NO: 2021 10772 "F"
::
NOBLE DRILLING (U.S.) LLC, ::
NOBLE DRILLING SERVICES, INC., ::
NOBLE DRILLING HOLDING, LLC, ::
NOBLE LEASING II (SWITZERLAND) ::
GMBH, SHELL OIL COMPANY, ::
AND SHELL OFFSHORE, INC. ::
::::::::::::::::::

PETITION FOR DAMAGES

COMES NOW John Guidry ("Guidry") who for his petition for damages avers to
wit:

1.

Made Defendants herein are:

- a. Noble Drilling (U.S.), LLC;
- b. Noble Drilling Services, Inc.;
- c. Noble Drilling Holding, LLC;
- d. Noble Leasing II (Switzerland), GmbH, (Defendants (a) through (d) are hereinafter sometimes collectively referred to as the "Noble Defendants"); and
- e. Shell Oil Company; and
- f. Shell Offshore, Inc. (Defendants (e) & (f) are hereinafter sometimes collectively referred to as the "Shell Defendants").

2.

This action is brought under 33 U.S.C. § 905(b) of LHWCA as modified by the General Maritime Law of the United States. Thus, this Court has exclusive jurisdiction

of this civil action pursuant to the "savings to suitors" clause contained in 28 U.S.C. § 1333 which proceeds from Section 9 of the Judiciary Act of 1789.

3.

Venue is proper under Article 42 of the Louisiana Code of Civil Procedure, especially Article 42 (5) of the Louisiana Code of Civil Procedure.

4.

Your plaintiff herein, Guidry, age 42, is a person of the full age of majority and a resident of Basile, Acadia Parish, Louisiana.

5.

At all times pertinent hereto, Guidry was employed by Pro-T Co. Inc. of Broussard, Louisiana ("Pro-T").

6.

At times pertinent hereto, Guidry was a filtration technician employed by Pro-T and working in the Gulf of Mexico, off the Louisiana coast aboard the *GLOBETROTTER II*.

7.

Guidry worked full time for Pro-T and received significant remuneration, plus found and fringe benefits.

8.

Noble Drilling (U.S.), LLC is, upon information and belief, a foreign limited liability company, organized under and existing by virtue of the laws of the State of Delaware, having its principal place of business in Sugar Land, Texas. Noble Drilling (U.S.), LLC is licensed to do and doing business in this State and has designated its principal Louisiana business establishment location as 3867 Plaza Tower Dr., Baton Rouge, Louisiana. Noble Drilling (U.S.), LLC may be cited to appear and answer herein by serving its registered agent for service of process; namely, CT Corporation System, 3867 Plaza Tower Dr., Baton Rouge, Louisiana.

9.

Noble Drilling Services, Inc. is, upon information and belief, thought to be a foreign corporation, organized and existing by virtue of the laws of the State of Delaware, having its principal place of business in Sugar Land, Texas. However, unlike Noble Drilling (U.S.), LLC, Noble Drilling Services, Inc. is neither licensed to do business, nor has it appointed an agent for service of process in Louisiana in the manner provided by law. Noble Drilling Services, Inc. does business in the State of Louisiana, and thus may be cited to appear and answer herein by serving its statutory agent for service of process; namely, Hon. R. Kyle Ardoin, Louisiana Secretary of State, 8585 Archives Avenue, Baton Rouge, Louisiana.

10.

Noble Drilling Holding, LLC is, upon information and belief, thought to be a foreign corporation, organized and existing by virtue of the laws of the State of Delaware, having its principal place of business in Sugar Land, Texas. However, unlike Noble Drilling (U.S.), LLC, Noble Drilling Holding, LLC is neither licensed to do business, nor has it appointed an agent for service of process in the State of Louisiana in the manner provided by law. Noble Drilling Holding, LLC does business in the State of Louisiana and thus may be cited to appear and answer herein by serving its statutory agent for service of process; namely, Hon. R. Kyle Ardoin, Louisiana Secretary of State, 8585 Archives Avenue, Baton Rouge, Louisiana.

11.

Noble Leasing II (Switzerland) GmbH is thought to be a corporation, or other business entity, organized and existing by virtue of the laws of Switzerland (officially known as the "Swiss Confederation") a landlocked country located in continental Europe. Noble Leasing II (Switzerland) GmbH may thus be cited to appear and answer herein by service of process through the provisions of the Hague Convention.

12.

Shell Oil Company is thought to be a foreign corporation organized under and existing by virtue of the laws of the State of Delaware, having its principal place of business in Houston, Texas. Shell Oil Company is licensed to do and doing business in the State of Louisiana and has designated its principal Louisiana business establishment to be located at 3867 Plaza Tower Dr., Baton Rouge, Louisiana. Shell Oil Company may be cited to appear and answer herein by serving its agent for service of process; CT Corporation System, 3867 Plaza Tower Dr., Baton Rouge, Louisiana.

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14.

The GLOBETROTTER II (“*GLOBETROTTER II*”), is an ultra-deep-water drillship 620 feet in length, 105 feet in breadth, and 62 feet in depth, as is more fully described and shown in Exhibit “A”.

15.

At all times pertinent hereto, the Noble Defendants owned, operated, manned, managed and controlled the ultra-deep-water drillship *NOBLE GLOBETROTTER II*. In the alternative, at all times pertinent hereto, the Shell Defendants managed and controlled the *GLOBETROTTER II*. In the further alternative, at all times pertinent hereto, the Noble Defendants and the Shell Defendants jointly managed and controlled the *GLOBETROTTER II*.

16.

It has become necessary to institute this civil action as a result of injuries and damage suffered by Guidry on or about Saturday, August 28, 2021 as a consequence of the negligence, negligence *per se*, carelessness, and omission of duty, as well as the recklessness, gross negligence, and willful and wanton conduct on the part of the Noble Defendants and the Shell Defendants, either acting alone or in concert including, but not limited to, the conscious decision made by the Noble Defendants and Shell Defendants in the days leading up to and during Hurricane Ida – one of the most powerful and damaging hurricanes to ever strike the United States.

17.

Although Hurricane Ida made landfall along the Southeast Louisiana coast on Sunday, August 29, 2021, numerous around-the-clock warnings were issued days in advance about the storm's gathering strength. In the days before Saturday, August 28, 2021, the National Weather Service, the National Hurricane Center and the European Hurricane Model pin-pointed Hurricane Ida's probable landfall to be along the Louisiana coast between Morgan City, Louisiana and Grand Isle, Louisiana. As projected, Hurricane Ida made landfall in Southeast Louisiana, near Port Fourchon with sustained winds of 150 miles per hours, with wind gusts up to 165 mph.

18.

At all times pertinent hereto, the *GLOBETROTTER II* was working in the Gulf of Mexico, off the Louisiana coast for the benefit of, and at the direction of, the Noble Defendants and the Shell Defendants. In the days leading up to Saturday, August 28, 2021, Hurricane Ida entered the Gulf of Mexico taking direct aim at the Southeast Louisiana coast.

19.

Unfortunately for the *GLOBETROTTER II* and her crew and all aboard, neither the Noble Defendants nor the Shell Defendants cared about the catastrophic hazards posed to the *GLOBETROTTER II* and her crew members.

20.

On August 28, 2021, Guidry was aboard the *GLOBETROTTER II* in the Gulf of Mexico. Despite the undeniable path of Ida, the Noble Defendants and the Shell Defendants continued to operate the *GLOBETROTTER II* in direct defiance and willful disregard of and indifference to all weather information made available to the *GLOBETROTTER II*, as well as the broadcasted weather information made available to mariners by the National Weather Service and the National Hurricane Center.

21.

In the hours before Hurricane Ida's arrival at the place where the *GLOBETROTTER II* was then located in the Gulf of Mexico, the *GLOBETROTTER II* unlatched from its sub-sea drilling activities and headed directly into the approaching storm. The Noble Defendants and the Shell Defendants then placed *GLOBETROTTER II* on a collision course with Hurricane Ida – within ten (10) miles of her eyewall.

22.

The *GLOBETROTTER II* and her crew and all aboard were exposed to 150 miles per hour winds, gusting up to 165 miles per hours and 80-95 foot sea swells causing the *GLOBETROTTER II* to violently sway, yaw and pitch so severely that her crew was, at times, forced to walk on her walls, rather than the interior walkways. The sway was so extreme that the *GLOBETROTTER II* almost capsized several times and that all on board thought they were going to die.

23.

Guidry was violently tossed by the extreme weather that struck the *Globetrotter II*, causing him to be slammed by walls and the rising and pitching decks, all of which caused severe, permanent and life changing injuries to your plaintiff.

24.

The injuries suffered by Guidry were cause by the legal fault, negligence, negligence *per se*, carelessness, and omission of duty, as well as by the recklessness, gross negligence and willful and wanton conduct on the part of the Noble Defendants and the Shell Defendants, either acting alone or in concert, without any legal fault, negligence, carelessness or omission of duty on the part of Guidry, causing or contributing in any way thereto.

25.

The legal fault, negligence, negligence *per se*, carelessness, and omission of duty, as well as the recklessness, gross negligence, and willful and wanton conduct on the part of the Noble Defendants and the Shell Defendants, either acting alone or in concert, consisted of the following acts and omissions:

- a. In failing to instruct, train, and supervise the crew of the *GLOBETROTTER II* or, in the alternative, in failing to adequately instruct, train, and supervise the crew of the *GLOBETROTTER II*;
- b. In that the *GLOBETROTTER II* was not in the charge of competent persons and crew;
- c. In failing to timely and seasonably order the *GLOBETROTTER II* to move off of its drilling location and out of the path of Hurricane Ida;
- d. In failing to timely and seasonably move the *GLOBETROTTER II* off its drilling location and out of the path of Hurricane Ida;
- e. In failing to promulgate, adopt, and enforce safety practices, safety policies, and safety procedures concerning hazard mitigation during a hurricane or, in the alternative, in failing to promulgate, adopt, and enforce adequate safety practices, safety policies, and safety procedures concerning hazard mitigation during a hurricane;

- f. In failing to timely and seasonably evacuate the *GLOBETROTTER II* of all nonessential personnel well in advance of the approach of Hurricane Ida;
- g. In failing to insist that the *GLOBETROTTER II* be brought into the nearest port, before she was hit by Hurricane Ida;
- h. In violating applicable United States Coast Guard, and BSEE regulations.

26.

Guidry sustained serious and potentially permanent injuries to his body and mind, the full extent of which has not yet been determined, due to and because of the legal fault, negligence, negligence *per se*, carelessness and omission of duty, as well as the recklessness, gross negligence and willful and wanton conduct on the part of the Noble Defendants and the Shell Defendants, either acting alone or in concert. More particularly, Guidry has been caused and may be caused to suffer:

- a) Pain, humiliation and suffering;
- b) Inconvenience;
- c) Loss of enjoyment of life;
- d) Bodily injuries;
- e) Lost past wages;
- f) Loss of future wage earning capacity;
- g) Scarring;
- h) Mental anguish, aggravation;
- i) Medical expenses, both past & future.

27.

In addition to all compensatory damages to which Guidry is otherwise entitled to receive, your plaintiff is also entitled to punitive damages because the Noble Defendants and Shell Defendants, acted, either alone or in concert, with willful and wanton disregard of Guidry's rights to, among other things, a safe workplace. The Noble and Defendants and the Shell Defendants were well aware of the grave danger to human life presented by

the Hurricane Ida in the area of the Gulf of Mexico where the *GLOBETROTTER II* and her crew and all aboard *GLOBETROTTER II* were working but did absolutely nothing to eliminate or mitigate those hazards. Rather, the Noble Defendants and the Shell Defendants ignored the grave hazard to human life presented by Hurricane Ida and ordered the *GLOBETROTTER II* crew members to continue working.

28.

The acts and omissions of the Noble Defendants and the Shell Defendants involved a callous disregard for Guidry's safety due to the extreme degree of danger and considering the probability and magnitude of potential harm to human life. Moreover, the Noble and Shell Defendants had actual, subjective knowledge of the extreme risk of harm to human life involved, and consciously disregarded the risk by ordering that the crew of the *GLOBETROTTER II* to continue to work and refused to allow the *Globetrotter II* to immediately evacuate and seek shelter from Hurricane Ida.

29.

Guidry is entitled to and demands a trial by jury.

WHEREFORE, Guidry prays that Defendants, Noble Drilling (U.S.), LLC, Noble Drilling Services, Inc., Noble Drilling Holding, LLC, Noble Leasing II (Switzerland) GmbH, Shell Oil Company, and Shell Offshore, Inc. be served with a copy of this, Guidry's, Petition for Damages and that these Defendants be cited to appear and answer herein; and that after the lapse of all legal delays and due proceedings had, there be judgement in favor of Guidry and against these Defendants, in an amount reasonable in the premises, together with legal interest and for all costs of these proceedings.

Respectfully submitted:



By:

J. Craig Jones
(La. Bar. Roll # 17648)
Craig Ray Hill
(La. Bar. Roll # 23780)
131 Hwy 165 S
Oakdale, Louisiana 71463
Attorney for Plaintiff
John Guidry

PLEASE SERVE:

Noble Drilling (U.S.), LLC
Through its registered agent
For service of process:
C T Corporation System
3867 Plaza Tower Dr.
Baton Rouge, Louisiana

Noble Drilling Services, Inc.
Through its statutory agent
For service of process:
Hon. R. Kyle Ardoin,
Louisiana Secretary of State
8585 Archives Avenue
Baton Rouge, Louisiana

Noble Drilling Holding, LLC
Through its statutory agent
For service of process:
Hon. R. Kyle Ardoin,
Louisiana Secretary of State
8585 Archives Avenue
Baton Rouge, Louisiana

Noble Leasing II (Switzerland) GmbH
Hague Convention Service

REC'D BY AP COC
2021 OCT 21 AM 10:11:21

Shell Oil Company
Through its registered agent
For service of process:
C T Corporation System
3867 Plaza Tower Drive
Baton Rouge, Louisiana

Fax
FILED *Oct 18, 2021*
JL
BY CLERK OF COURT
ACADIA PARISH, LA

Shell Offshore, Inc.
Through its registered agent
For service of process:
C T Corporation System
3867 Plaza Tower Drive
Baton Rouge, Louisiana

REC'D BY AP COC
2021 OCT 21 AM10:11:27

Robert T. "Robby" Barousse

Clerk of Court - Acadia Parish
500 NE Court Circle, Crowley, LA 70526
P.O. Box 922, Crowley, LA 70527-0922
Phone: 337-788-8881
Fax: 337-783-3855

RECEIPT OF CONFIRMATION

JOHN GUIDRY
VS.
NOBLE DRILLING LLC ET AL
Docket #:202110772 F

J CRAIG JONES

318-335-1934

You are hereby informed by this confirmation notice that the following has been filed by facsimile.

Pleading (s): PETITION FOR DAMAGES; REQUEST FOR NOTICE OF TRIAL
DATE; ORDER FOR TRIAL BY JURY

Time Received: 10/15/21 AT 2:53 PM

Date Filed: 10/18/21

Morgan Henderson

Deputy Clerk of Court
Acadia Parish
Crowley La.

This is to acknowledge that the above described facsimile transmission was received and filed on the date shown above as per LA R.S. 13:850.

The original pleading is to be forwarded within seven (7) days, exclusive of legal holidays, of this confirmation together with the \$5.00 transmission fee; \$15.00 fee for this confirmation; the correct filing fee to cover the cost of filing the facsimile copy as well as the original pleading and any balance of costs due. When the original pleading is received, the file mark will indicate the actual date it is received.

The record will contain the facsimile pleading, this confirmation and the original pleading.

*****AMOUNT DUE: \$900.00*****

P. 1

* * * Communication Result Report (Oct. 18. 2021 11:50AM) * * *

1) ACADIA PARISH CLERK
2)

Date/Time: Oct. 18. 2021 11:49AM

| File No. Mode | Destination | Pg (s) | Result | Page Not Sent |
|------------------|-------------|--------|--------|------------------|
| 6888 Memory TX | 3183351934 | P. 1 | OK | |

AMOUNT DUE: \$900.00

Mayan calendar
Doomsday of Christ
Ancient Prophecy
Covenants of Christ

Plaintiff's (x) PETITION FOR DAMAGES, REQUEST FOR NOTICE OF TRIAL

You are hereby informed by this communication notice that

JONES & HILL

ATTORNEYS AT LAW
(Limited Liability Corporation)

J. CRAIG JONES*†
CRAIG RAY HILL*

*A PROFESSIONAL LAW CORPORATION
†ADMITTED TO PRACTICE IN LOUISIANA AND TEXAS

131 HIGHWAY 165 SOUTH
OAKDALE, LOUISIANA 71463
TELEPHONE: (318) 335-1333
FACSIMILE: (318)335-1934
www.joneshilllaw.com

LAKE CHARLES • OBERLIN • OAKDALE • ALEXANDRIA

WRITER'S DIRECT DIAL NUMBER
(318) 335-1333
ALL EMAIL RESPONSES SHOULD
BE DIRECTED TO
VALERIE MARICLE, PARALEGAL
TO J. CRAIG JONES
valerie@joneshilllaw.com

Via Facsimile (337) 783-3855
And Certified Mail
Receipt No.
7018 0680 0000 6434 6104
Return Receipt Requested

October 15, 2021

Acadia Parish Clerk of Court, 15th JDC
P.O. Box 992
500 NE Court Circle
Crowley, LA 70527

Re: John Guidry vs. Noble Drilling (U.S.) LLC, Noble Drilling Services, Inc., Noble Drilling Holding, LLC, Noble Leasing II (Switzerland) GMBH, Shell Oil Company and Shell Offshore, Inc. — New Suit Filing

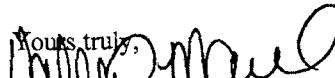
Dear Clerk of Court:

Enclosed please find a Petition for Damages, Request for Notice of Trial Date and Order for Trial by Jury to be filed. After please forward to the Judge for consideration and signature.

Thereafter, please serve per service instructions. Further, please return a certified copy to our office. I have enclosed a copy of the Petition for Damages as well as a self-addressed stamped envelope for your convenience.

Also enclosed please find our firm's check in the amount of \$950.00 to cover filing costs.

Thanking you for your usual courtesies and kind services, I remain

Yours truly,

Valerie Maricle

Paralegal to J. Craig Jones
Enclosures

REC'D BY AP CDC
2021 OCT 21 AM 10:10:59

ACADIA PARISH

Daily Log Receipt

Date: 10/21/2021 Time: 10:15:40

Suit No. 202110772 "F"

JOHN GUIDRY

VS

NOBLE DRILLING LLC ET AL

Date: 10/21/2021 Check No: 105239

Amount: \$950.00

Comments:

P-1 Petition for Damages

Remitted By:

Jones & Hill LLC

Deputy Clerk



**CITATION
ACADIA PARISH, LOUISIANA
15th JUDICIAL DISTRICT COURT**

**JOHN GUIDRY
VERSUS 202110772 F
NOBLE DRILLING LLC ET AL**

**To: NOBLE DRILLING HOLDING, LLC
THROUGH ITS REGISTERED AGENT
FOR SERVICE OF PROCESS:
HON. R. KYLE ARDOIN
LOUISIANA SECRETARY OF STATE
8585 ARCHIVES AVENUE
BATON ROUGE, LA 70809**

Attached to this citation is a certified copy of the petition. The petition tells you what you are being sued for.

You must EITHER do what the petition asks OR, within (15) days after you have received this document, you must file an answer or other legal pleadings in the office of the Clerk of Court at the Courthouse, Court Circle, Crowley, Louisiana.

If you do not do what the petition asks, or if you do not file an answer or legal pleadings within fifteen (15) days, a judgment may be entered against you without further notice.

This citation was issued by the Clerk of Court for Acadia Parish, on October 26, 2021

ROBERT T. BAROUSSE, CLERK OF COURT

Robert Barousse

BY: _____
Deputy Clerk of Court
Acadia Parish

**ATTORNEY:
J CRAIG JONES
131 HIGHWAY 165 SOUTH
OAKDALE, LA 71463**

Attached are the following documents: PETITION FOR DAMAGES

EFFECTIVE IMMEDIATELY: NO CELL PHONES OR RECORDING DEVICES ALLOWED IN THE COURTHOUSE.

SHERIFF'S RETURN

Received the within notice and copies of the same, on the _____ day of _____
and on the _____ day of _____ 20____ served a copy of the within notice on:

(personal service)

(domiciliary service)

the parties herein named by handing same to them in person.

Deputy Sheriff

Returned and filed: _____

Deputy Clerk

ADDITIONAL INFORMATION

THESE DOCUMENTS MEAN YOU HAVE BEEN SUED. LEGAL ASSISTANCE IS ADVISABLE AND YOU SHOULD CONTACT A LAWYER IMMEDIATELY. JUDGES AND COURT PERSONNEL ARE NOT PERMITTED TO GIVE LEGAL ADVICE.

Robert T. "Robby" Barousse

Clerk of Court - Acadia Parish
500 NE Court Circle, Crowley, LA 70526
P.O. Box 922, Crowley, LA 70527-0922
Phone: 337-788-8881

October 26, 2021

To: Civil Sheriff
East Baton Rouge Parish
P O Box 3277
Baton Rouge, La 70821

JOHN GUIDRY
VERSUS DOCKET #: 202110772 F
NOBLE DRILLING LLC ET AL

Dear Sheriff:

Please make service as indicated on the attached CITATION

After service has been made, please make your return at the bottom of the "Return" copy and return same for filing.

PLEASE NOTE THAT THERE IS A CHECK ENCLOSED FOR YOUR FEES IN THE AMOUNT OF \$40.08 AND A CHECK IN THE AMOUNT OF \$50.00 FOR THE SECRETARY OF STATE FEES.

Thank you in advance for your usual assistance and cooperation.

I am Sincerely,



LILIAN LABOVE
Deputy Clerk of Court
Acadia Parish

enclosures

**CITATION
ACADIA PARISH, LOUISIANA
15th JUDICIAL DISTRICT COURT**

**JOHN GUIDRY
VERSUS 202110772 F
NOBLE DRILLING LLC ET AL**

**To: NOBLE DRILLING SERVICES, INC.
THROUGH ITS REGISTERED AGENT
FOR SERVICE OF PROCESS:
HON. R. KYLE ARDOIN
LOUISIANA SECRETARY OF STATE
8585 ARCHIVES AVENUE
BATON ROUGE, LA 70809**

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ROBERT T. BAROUSSE, CLERK OF COURT



BY: _____
Deputy Clerk of Court
Acadia Parish

ATTORNEY:
J CRAIG JONES
131 HIGHWAY 165 SOUTH
OAKDALE, LA 71463

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_____(personal service)_____(domiciliary service)_____

the parties herein named by handing same to them in person.

_____Deputy Sheriff_____
Returned and filed: _____

_____Deputy Clerk_____

ADDITIONAL INFORMATION

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FILE COPY

Robert T. "Robby" Barousse

Clerk of Court - Acadia Parish
500 NE Court Circle, Crowley, LA 70526
P.O. Box 922, Crowley, LA 70527-0922
Phone: 337-788-8881

October 26, 2021

To: Civil Sheriff
East Baton Rouge Parish
P O Box 3277
Baton Rouge, La 70821

JOHN GUIDRY
VERSUS DOCKET #: 202110772 F
NOBLE DRILLING LLC ET AL

Dear Sheriff:

Please make service as indicated on the attached CITATION

After service has been made, please make your return at the bottom of the "Return" copy and return same for filing.

PLEASE NOTE THAT THERE IS A CHECK ENCLOSED FOR YOUR FEES IN THE AMOUNT OF \$40.08 AND A CHECK IN THE AMOUNT OF \$50.00 FOR THE SECRETARY OF STATE FEES.

Thank you in advance for your usual assistance and cooperation.

I am Sincerely,



LILIAN LABOVE
Deputy Clerk of Court
Acadia Parish

enclosures

CITATION
ACADIA PARISH, LOUISIANA
15th JUDICIAL DISTRICT COURT

JOHN GUIDRY
VERSUS 202110772 F
NOBLE DRILLING LLC ET AL

To: SHELL OFFSHORE, INC.
THROUGH ITS REGISTERED AGENT
FOR SERVICE OF PROCESS:
CT CORPORATION SYSTEM
3867 PLAZA TOWER DR.
BATON ROUGE, LA 70816

Attached to this citation is a certified copy of the petition. The petition tells you what you are being sued for.

You must EITHER do what the petition asks OR, within (15) days after you have received this document, you must file an answer or other legal pleadings in the office of the Clerk of Court at the Courthouse, Court Circle, Crowley, Louisiana.

If you do not do what the petition asks, or if you do not file an answer or legal pleadings within fifteen (15) days, a judgment may be entered against you without further notice.

This citation was issued by the Clerk of Court for Acadia Parish, on October 26, 2021

ROBERT T. BAROUSSE, CLERK OF COURT

Robert Barousse

BY: _____
Deputy Clerk of Court
Acadia Parish

ATTORNEY:
J CRAIG JONES
131 HIGHWAY 165 SOUTH
OAKDALE, LA 71463

Attached are the following documents: PETITION FOR DAMAGES

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(personal service)

(domiciliary service)

the parties herein named by handing same to them in person.

Deputy Sheriff

Returned and filed: _____

Deputy Clerk

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FILE COPY

Robert T. "Robby" Barousse

Clerk of Court - Acadia Parish
500 NE Court Circle, Crowley, LA 70526
P.O. Box 922, Crowley, LA 70527-0922
Phone: 337-788-8881

October 26, 2021

To: Civil Sheriff
East Baton Rouge Parish
P O Box 3277
Baton Rouge, La 70821

JOHN GUIDRY
VERSUS DOCKET #: 202110772 F
NOBLE DRILLING LLC ET AL

Dear Sheriff:

Please make service as indicated on the attached CITATION

After service has been made, please make your return at the bottom of the "Return" copy and return same for filing.

PLEASE NOTE THAT THERE IS A CHECK ENCLOSED FOR YOUR FEES IN THE AMOUNT OF \$38.96

Thank you in advance for your usual assistance and cooperation.

I am Sincerely,



LILIAN LABOVE
Deputy Clerk of Court
Acadia Parish

enclosures

CITATION
ACADIA PARISH, LOUISIANA
15th JUDICIAL DISTRICT COURT

JOHN GUIDRY
VERSUS 202110772 F
NOBLE DRILLING LLC ET AL

To: SHELL OIL COMPANY
THROUGH ITS REGISTERED AGENT
FOR SERVICE OF PROCESS:
CT CORPORATION SYSTEM
3867 PLAZA TOWER DR.
BATON ROUGE, LA 70816

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This citation was issued by the Clerk of Court for Acadia Parish, on October 26, 2021

ROBERT T. BAROUSSE, CLERK OF COURT

Robert Barousse

BY: _____
Deputy Clerk of Court
Acadia Parish

ATTORNEY:
J CRAIG JONES
131 HIGHWAY 165 SOUTH
OAKDALE, LA 71463

Attached are the following documents: PETITION FOR DAMAGES

EFFECTIVE IMMEDIATELY: NO CELL PHONES OR RECORDING DEVICES ALLOWED IN THE COURTHOUSE.

SHERIFF'S RETURN

Received the within notice and copies of the same, on the _____ day of _____
and on the _____ day of _____ 20____, served a copy of the within notice on:

_____ (personal service) _____ (domiciliary service)

the parties herein named by handing same to them in person.

Returned and filed: _____
Deputy Sheriff _____

Deputy Clerk _____

ADDITIONAL INFORMATION

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Robert T. "Robby" Barousse

Clerk of Court - Acadia Parish
500 NE Court Circle, Crowley, LA 70526
P.O. Box 922, Crowley, LA 70527-0922
Phone: 337-788-8881

October 26, 2021

To: Civil Sheriff
East Baton Rouge Parish
P O Box 3277
Baton Rouge, La 70821

JOHN GUDRY
VERSUS DOCKET #: 202110772 F
NOBLE DRILLING LLC ET AL

Dear Sheriff:

Please make service as indicated on the attached CITATION

After service has been made, please make your return at the bottom of the "Return" copy and return same for filing.

PLEASE NOTE THAT THERE IS A CHECK ENCLOSED FOR YOUR FEES IN THE AMOUNT OF \$38.96

Thank you in advance for your usual assistance and cooperation.

I am Sincerely,



LILIAN LABOVE
Deputy Clerk of Court
Acadia Parish

enclosures

**CITATION
ACADIA PARISH, LOUISIANA
15th JUDICIAL DISTRICT COURT**

**JOHN GUIDRY
VERSUS 202110772 F
NOBLE DRILLING LLC ET AL**

**To: NOBLE DRILLING (U.S.), LLC
THROUGH ITS REGISTERED AGENT
FOR SERVICE OF PROCESS:
CT CORPORATION SYSTEM
3867 PLAZA TOWER DR.
BATON ROUGE, LA 70816**

Attached to this citation is a certified copy of the petition. The petition tells you what you are being sued for.

You must EITHER do what the petition asks OR, within (15) days after you have received this document, you must file an answer or other legal pleadings in the office of the Clerk of Court at the Courthouse, Court Circle, Crowley, Louisiana.

If you do not do what the petition asks, or if you do not file an answer of legal pleadings within fifteen (15) days, a judgment may be entered against you without further notice.

This citation was issued by the Clerk of Court for Acadia Parish, on October 26, 2021

ROBERT T. BAROUSSE, CLERK OF COURT

Robert Barousse

BY:

Deputy Clerk of Court
Acadia Parish

ATTORNEY:
J CRAIG JONES
131 HIGHWAY 165 SOUTH
OAKDALE, LA 71463

Attached are the following documents: PETITION FOR DAMAGES

EFFECTIVE IMMEDIATELY: NO CELL PHONES OR RECORDING DEVICES ALLOWED IN THE COURTHOUSE.

SHERIFF'S RETURN

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(personal service)

(domiciliary service)

the parties herein named by handing same to them in person.

Deputy Sheriff

Returned and filed: _____

Deputy Clerk

ADDITIONAL INFORMATION

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Robert T. "Robby" Barousse

Clerk of Court - Acadia Parish
500 NE Court Circle, Crowley, LA 70526
P.O. Box 922, Crowley, LA 70527-0922
Phone: 337-788-8881

October 26, 2021

To: Civil Sheriff
East Baton Rouge Parish
P O Box 3277
Baton Rouge, La 70821

JOHN GUDRY
VERSUS DOCKET #: 202110772 F
NOBLE DRILLING LLC ET AL

Dear Sheriff:

Please make service as indicated on the attached CITATION

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PLEASE NOTE THAT THERE IS A CHECK ENCLOSED FOR YOUR FEES IN THE AMOUNT OF \$38.96

Thank you in advance for your usual assistance and cooperation.

I am Sincerely,



LILIAN LABOVE
Deputy Clerk of Court
Acadia Parish

enclosures

ACADIA PARISH, LOUISIANA
15th JUDICIAL DISTRICT COURT

JOHN GUIDRY
Vs 202110772
NOBLE DRILLING LLC ET AL

CITATION

TO:
NOBLE LEASING II (SWITZERLAND) BmbH
HAGUE CONVENTION SERVICE

Pursuant to the Louisiana Long-Arm Statute.

You are hereby cited to comply with the demand contained in the Petition, a certified copy of which accompanies this citation, or to file your answer or other pleadings to said petition in the office of the Clerk of the 15th Judicial District, in and for the Parish of Acadia, which office is located at 500 NE Court Circle, Crowley, LA 70526, and/or P.O. Box 922, Crowley, LA 70527, within thirty (30) days after the service hereof.

Your failure to comply herewith will subject you to the penalty of entry of default judgment against you.

This citation was issued by the Clerk of Court for Acadia Parish, on the Tuesday THE 26TH OF October, 2021.

Lilian Lابone
By: _____
LILIAN LABOVE
Deputy Clerk of Acadia Parish

Requested by:

J CRAIG JONES
131 HIGHWAY 165 SOUTH
OAKDALE, LA 71463

Attached are the following documents: |PETITION FOR DAMAGES

THESE DOCUMENTS MEAN YOU HAVE BEEN SUED. LEGAL ASSISTANCE IS ADVISABLE AND YOU SHOULD CONTACT A LAWYER IMMEDIATELY. JUDGES AND CLERK PERSONNEL ARE NOT PERMITTED TO GIVE LEGAL ADVICE.

ALL CELL PHONES AND RECORDING DEVICES MUST REMAIN OFF DURING COURT.

FILE COPY

Robert T. "Robby" Barousse

Clerk of Court - Acadia Parish
500 NE Court Circle, Crowley, LA 70526
P.O. Box 922, Crowley, LA 70527-0922
Phone: 337-788-8881

October 26, 2021

J CRAIG JONES
131 HIGHWAY 165 SOUTH
OAKDALE, LA 71463

JOHN GUIDRY
VERSUS DOCKET #: 202110772 F
NOBLE DRILLING LLC ET AL

Dear Mr. J. CRAIG JONES:

Enclosed please find a LONG ARM CITATION so that you may attempt service upon the defendant, NOBLE LEASING II (SWITZERLAND) pursuant to the Louisiana Long-Arm Statute.

After service has been perfected, please submit proof of service for our records.

If I can be of further assistance, please do not hesitate to contact me.

With kind regards, I am,

Sincerely



LILIAN LABOVE
Deputy Clerk of Court
Acadia Parish

Enclosure

RETURN TO
CLERK'S OFFICE

RETURN TO
CLERK'S OFFICE

CITATION
ACADIA PARISH, LOUISIANA
15th JUDICIAL DISTRICT COURT

JOHN GUIDRY
VERSUS 202110772 F
NOBLE DRILLING LLC ET AL

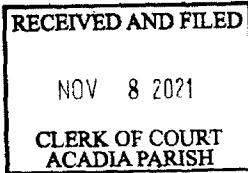
To: SHELL OFFSHORE, INC.
THROUGH ITS REGISTERED AGENT
FOR SERVICE OF PROCESS:
CT CORPORATION SYSTEM
3867 PLAZA TOWER DR.
BATON ROUGE, LA 70816

Attached to this citation is a certified copy of the petition. The petition tells you what you are being sued for.

You must EITHER do what the petition asks OR, within (15) days after you have received this document, you must file an answer or other legal pleadings in the office of the Clerk of Court at the Courthouse, Court Circle, Crowley, Louisiana.

If you do not do what the petition asks, or if you do not file an answer of legal pleadings within fifteen (15) days, a judgment may be entered against you without further notice.

This citation was issued by the Clerk of Court for Acadia Parish, on October 26, 2021



ROBERT T. BAROUSSE, CLERK OF COURT

Robert Barousse

BY:

Deputy Clerk of Court I made service on the named party through the
Acadia Parish CT Corporation

NOV 02 2021

by tendering a copy of this document to
Ashley Minvielle

ATTORNEY:
J CRAIG JONES
131 HIGHWAY 165 SOUTH
OAKDALE, LA 71463

Attached are the following documents: PETITION FOR DAMAGES F. CUMMINS
Deputy Sheriff, Parish of East Baton Rouge, Louisiana

EFFECTIVE IMMEDIATELY: NO CELL PHONES OR RECORDING DEVICES ALLOWED IN THE COURTHOUSE.

SHERIFF'S RETURN

Received the within notice and copies of the same, on the _____ day of _____
and on the _____ day of _____ 20____, served a copy of the within notice on:

(personal service)

(domiciliary service)

the parties herein named by handing same to them in person.

Returned and filed: Nov 8, 2021

Deputy Sheriff

Deputy Clerk

ADDITIONAL INFORMATION

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RETURN TO
CLERK'S OFFICE

RETURN TO
CLERK'S OFFICE

CITATION
ACADIA PARISH, LOUISIANA
15th JUDICIAL DISTRICT COURT

JOHN GUIDRY
VERSUS 202110772 F
NOBLE DRILLING LLC ET AL

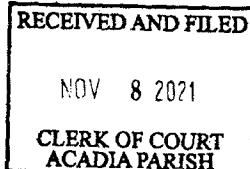
To: SHELL OIL COMPANY
THROUGH ITS REGISTERED AGENT
FOR SERVICE OF PROCESS:
CT CORPORATION SYSTEM
3867 PLAZA TOWER DR.
BATON ROUGE, LA 70816

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ROBERT T. BAROUSSE, CLERK OF COURT

Robert Barousse

BY:

Deputy Clerk of Court
Acadia Parish, made service on the named party through the

CT Corporation

NOV 02 2021

by tendering a copy of this document to
Ashley Minvielle

E. CUMMINS

Deputy Sheriff, Parish of East Baton Rouge, Louisiana

ATTORNEY:
J CRAIG JONES
131 HIGHWAY 165 SOUTH
OAKDALE, LA 71463

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Deputy Sheriff

Deputy Clerk

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RETURN TO
CLERK'S OFFICERETURN TO
CLERK'S OFFICE

CITATION
ACADIA PARISH, LOUISIANA
15th JUDICIAL DISTRICT COURT

JOHN GUIDRY
VERSUS 202110772 F
NOBLE DRILLING LLC ET AL

To: NOBLE DRILLING HOLDING, LLC
 THROUGH ITS REGISTERED AGENT
 FOR SERVICE OF PROCESS:
 HON. R. KYLE ARDOIN
 LOUISIANA SECRETARY OF STATE
 8585 ARCHIVES AVENUE
 BATON ROUGE, LA 70809

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| |
|---------------------------------|
| RECEIVED AND FILED |
| NOV 8 2021 |
| CLERK OF COURT ACADIA PARISH |

ROBERT T. BAROUSSE, CLERK OF COURT

Robert Barousse

BY:

Deputy Clerk of Court
Acadia Parish

Made service on the named party through the

Office of the Secretary of State on

NOV 02 2021

by tendering a copy of this document to:
JULIE NESBITT

DY. M. LOCKWOOD #0803

Deputy Sheriff, Parish of East Baton Rouge, LA

Attached are the following documents: PETITION FOR DAMA

EFFECTIVE IMMEDIATELY: NO CELL PHONES OR RECORDING DEVICES ALLOWED IN THE COURTHOUSE.

SHERIFF'S RETURN

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Returned and filed: Nov 8, 2021

Deputy Sheriff

Deputy Clerk

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RETURN TO
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RETURN TO
CLERK'S OFFICE

CITATION
ACADIA PARISH, LOUISIANA
15th JUDICIAL DISTRICT COURT

JOHN GUIDRY
VERSUS 202110772 F
NOBLE DRILLING LLC ET AL

To: NOBLE DRILLING SERVICES, INC.
THROUGH ITS REGISTERED AGENT
FOR SERVICE OF PROCESS:
HON. R. KYLE ARDOIN
LOUISIANA SECRETARY OF STATE
8585 ARCHIVES AVENUE
BATON ROUGE, LA 70809

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| RECEIVED AND FILED |
| NOV 8 2021 |
| CLERK OF COURT ACADIA PARISH |

ROBERT T. BAROUSSE, CLERK OF COURT

Robert Barousse

BY:

Deputy Clerk of Court
Acadia Parish made service on the named party through the
Office of the Secretary of State on
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DY M. LOCKWOOD #0803
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ACADIA PARISH, LOUISIANA
15th JUDICIAL DISTRICT COURT

JOHN GUIDRY
VERSUS 202110772 F
NOBLE DRILLING LLC ET AL

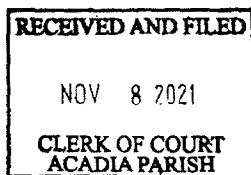
To: NOBLE DRILLING (U.S.), LLC
THROUGH ITS REGISTERED AGENT
FOR SERVICE OF PROCESS:
CT CORPORATION SYSTEM
3867 PLAZA TOWER DR.
BATON ROUGE, LA 70816

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BY: _____

Deputy Clerk of Court
Acadia Parish I made service on the named party through the

CT Corporation

NOV 02 2021

by tendering a copy of this document to
Ashley Minvielle

E. CUMMINS

Deputy Sheriff, Parish of East Baton Rouge, Louisiana

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ACADIA PARISH

Daily Log Receipt

Date: 11/15/2021 Time: 10:17:24

Suit No. 202110772

JOHN GUIDRY

VS

NOBLE DRILLING LLC ET AL

Date: 11/15/2021 Check No: 105306

Amount: \$7.33

Comments:

P-1 BILLING STATEMENT

Remitted By:

JONES & HILL LLC

Deputy Clerk

BILLING
STATEMENT

AS OF

11/02/2021

NOV 08 2021
BY MIC LM

Robert T Barousse
Acadia Clerk of Court
PO Box 922
Crowley, LA 70527-0922

Suit No. 202110772

JONES & HILL
J CRAIG JONES
131 HIGHWAY 165 SOUTH
OAKDALE, LA 71463

Vs

JOHN GUIDRY

NOBLE DRILLING LLC ET AL

PLAINTIFF #1

| | |
|-----------------|-----------|
| TOTAL DEPOSIT | \$950.00 |
| TOTAL CHARGES | \$-957.33 |
| CURRENT BALANCE | \$-7.33 |

This is an open bill. Costs have been cast and are due at this time. No other pleadings will be accepted and processed until these costs have been paid. Our office is now accepting credit cards with a 4% transaction fee in addition to cash, check, or money order. Please call our office at 337-788-8881 and speak to the accounting department if you have any questions.

PLEASE SUBMIT A PAYMENT ASAP. THANK YOU!

| | |
|-------------------|--------|
| AMOUNT DUE | \$7.33 |
| TOTAL PAYMENT DUE | \$7.33 |

Please forward this bill onto your client or provide our office with a current address. Thank You for your assistance!

RECD BY AP CGC
2021 NOV 15 AM 9:52:26

**15th JUDICIAL DISTRICT COURT FOR THE PARISH OF ACADIA
STATE OF LOUISIANA**

No. 2021 10772

Division "F"

JOHN GUIDRY

VERSUS

**NOBLE DRILLING (U.S.), LLC, NOBLE DRILLING SERVICES, INC.,
NOBLE DRILLING HOLDING, LLC, NOBLE LEASING II (SWITZERLAND)
GmbH, SHELL OIL COMPANY, and SHELL OFFSHORE, INC.**

Filed: 11-17-2021

Michelle Libby
DEPUTY CLERK

NOTICE OF FILING NOTICE OF REMOVAL

Now INTO COURT, through undersigned counsel, comes Defendant, Noble Drilling (U.S.), LLC ("Noble Drilling"), who hereby provides notice to this Court that this matter has been removed to the United States District Court for the Western District of Louisiana, Lafayette Division, pursuant to 28 U.S.C. § 1441. A copy of the federal court Notice of Removal is attached hereto as Exhibit "A." This Court is respectfully requested to proceed no further in this action unless and until such time as the action may be remanded by order of the United States District Court.

Respectfully submitted:

KEAN MILLER LLP

Taylor Ashworth
ROBERT M. KALLAM (#20242)
TAYLOR ASHWORTH (#39404)
600 Jefferson Street, Suite 1101
Lafayette, Louisiana 70501
Telephone: (337) 235-2232

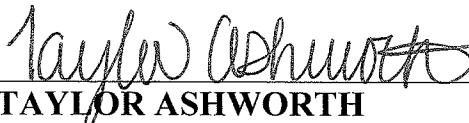
RECD BY AP COC
2021 NOV 24 AM9:50:17

**BRADLEY J. SCHLITTERER (#24211)
SEAN T. McLAUGHLIN (#31870)**
First Bank and Trust Tower
909 Poydras Street, Suite 3600
New Orleans, Louisiana 70112
Telephone: (504) 585-3050
ATTORNEYS FOR NOBLE DRILLING (U.S.), LLC

This 17th day of November, 2021

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been forwarded to all known counsel of record via electronic mail, facsimile, or by U.S. First Class Mail, postage prepaid and properly addressed, on this 17th day of November, 2021.


TAYLOR ASHWORTH

RECD BY CP/CDC
2021 NOV 24 PM 3:50:24

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

JOHN GUIDRY

CIVIL ACTION

versus

NO.: 21-3994

NOBLE DRILLING (U.S.), LLC
ET AL

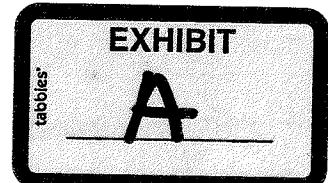
DISTRICT JUDGE

MAGISTRATE JUDGE

NOTICE OF REMOVAL

NOW INTO COURT, through undersigned counsel, comes Defendant, Noble Drilling (U.S.), LLC (“Noble Drilling”) who removes the action entitled “*John Guidry versus Noble Drilling (U.S.), LLC, Noble Drilling Services, Inc., Noble Drilling Holding, LLC, Noble Leasing II (Switzerland) GmbH, Shell Oil Company, and Shell Offshore, Inc.*” Docket No. 202110772F, from the 15th Judicial District Court for the Parish of Acadia, State of Louisiana, to the United States District Court for the Western District of Louisiana, Lafayette Division, pursuant to 43 U.S.C. § 1349 and 28 U.S.C. §§ 1331, 1332, 1333 and 1441, *et seq.*, as well as the additional grounds discussed in this Notice of Removal. In support hereof, Noble Drilling avers as follows:

RECD 04 AP 2021
2021 NOV 24 AM 05:32



PLAINTIFF'S CLAIMS

1.

On or about October 18, 2021, the above-entitled action was commenced in the 15th Judicial District Court, Parish of Acadia State of Louisiana. Attached as Exhibit "A" is a complete copy of all pleadings currently filed in the 15th Judicial District Court for the Parish of Acadia.

2.

In Plaintiff's Petition, Plaintiff alleges as follows:

- “At all times pertinent hereto, the *GLOBETROTTER II* was working in the Gulf of Mexico, off the Louisiana coast....” Petition, at Paragraph 18.
- “At times pertinent hereto, Guidry was a filtration technician employed by Pro-T and working in the Gulf of Mexico, off the Louisiana coast aboard the *GLOBETROTTER II*.” Petition, at Paragraph 6.
- “The *GLOBETROTTER II* is an ultra-deep-water drillship 620 feet in length, 105 feet in breadth, and 62 feet in depth...” Petition, at Paragraph 14.
- “On August 28, 2021, Guidry was aboard the *GLOBETROTTER II* in the Gulf of Mexico.” Petition, at Paragraph 20.
- “This action is brought under 33 U.S.C. § 905(b) of LHWCA as modified by the General Maritime Law of the United States...” Petition, at Paragraph 2.

3.

Plaintiff's Petition does not allege that he is a Jones Act seaman.

GROUNDS FOR REMOVAL

I. Jurisdiction Under 43 U.S.C. § 1349 (OCSLA)

4.

At all relevant times, the *GLOBETROTTER II* was under contract to provide services in or around Mississippi Canyon block 809 (“MC 809”). MC 809 is located on the Outer Continental Shelf approximately 140 miles south-southeast of New Orleans. The services performed by the *GLOBETROTTER II* involve the exploration, development, and/or production of the minerals of the subsoil and seabed of the Outer Continental Shelf. “But for” those operations on the Outer Continental Shelf, Plaintiff’s alleged claims (which are denied) would not have arisen.

5.

For the reasons set forth above, this Court has jurisdiction over this action because District Courts of the United States have original jurisdiction over cases and controversies arising out of or in connection with any operation conducted on the Outer Continental Shelf.

6.

This Court therefore has original subject matter jurisdiction under 43 U.S.C. § 1349(b).

II. Alternatively, Jurisdiction Under 28 U.S.C. § 1331 (Federal Question)

7.

Alternatively, this Court also has original subject matter jurisdiction under 28 U.S.C. § 1331, in that the claims asserted may arise under federal statutes, namely, the Outer Continental Shelf Lands Act, 43 U.S.C. § 1331 *et seq.*

III. Alternatively, Jurisdiction Under 28 U.S.C. § 1332 (Diversity)

8.

Alternatively, this Court also has original subject matter jurisdiction under 28 U.S.C. § 1332. The amount in controversy exceeds the sum of \$75,000, exclusive of interest and costs, and complete diversity exists between the Plaintiff and all Defendants.

9.

Plaintiff, John Guidry, is alleged to be a citizen of the State of Louisiana. Petition, at Paragraph 4.

10.

Defendant, Noble Drilling (U.S.) LLC is a limited liability company and its sole member is Noble Drilling Services LLC. Noble Drilling Services LLC was formerly known as Noble Drilling Services, Inc.

11.

Defendant, Noble Drilling Services LLC f/k/a Noble Drilling Services Inc. is a limited liability company and its sole member is NDSI Holding Limited. NDSI Holding Limited is an exempted company incorporated in the Cayman Islands with limited liability. NDSI Holding Limited's sole member is Noble Holding (U.S.) LLC. Noble Holding (U.S.) LLC's sole member is Noble Corporation Holding LLC. Noble Corporation Holding LLC's sole member is Noble Corporation Holdings Ltd. Noble Corporation Holdings Ltd. is an exempted company incorporated in the Cayman Islands with limited liability limited by shares. Noble Corporation Holdings Ltd.'s sole member is Noble Eagle LLC. Noble Eagle LLC's sole member is Noble NEC Holdings Limited, which is incorporated in England and Wales as a private company limited by

shares. Noble NEC Holdings Limited's sole member is Noble 2018-IV Guarantor LLC. Noble 2018-IV Guarantor LLC's sole member is Noble Finance Company. Noble Finance Company is a Cayman Islands exempted company limited by shares. Noble Finance Company's sole member is Noble Corporation. Noble Corporation is incorporated in the Cayman Islands and has its principal place of business in Texas. Accordingly, Noble Drilling Services LLC f/k/a Noble Drilling Services, Inc. and Noble Drilling (U.S.) LLC are not citizens of Louisiana.

12.

Defendant, Noble Drilling Holding LLC is a limited liability company and its sole member is Noble Cayman Limited. Noble Cayman Limited's sole member is Noble Boudreaux Limited. Noble Boudreaux Limited is a Cayman Islands LLC and its sole member is Noble Drilling Services 6 LLC. Noble Drilling Services 6 LLC's sole member is Noble 2018-III Guarantor LLC. Noble 2018-III Guarantor LLC's sole member is Noble Holding International Limited. Noble Holding International Limited is a Cayman Islands exempted company limited by shares and its sole member is Noble SCS Cayman LP. Noble SCS Cayman LP is a Cayman Island partnership, and its partners include Noble Drilling Services 2 LLC as the general partner and Noble Drilling Services LLC (see Paragraph 11) as the limited partner. Noble Drilling Services 2 LLC's sole member is Noble Holding (U.S.) LLC (see Paragraph 10 & 11). Accordingly, Noble Drilling Holding LLC is not a citizen of Louisiana.

13.

Named Defendant, Noble Leasing II (Switzerland) GmbH, was misnamed and may now be referred to as Paragon Offshore Leasing (Switzerland) and is possibly defunct. This entity has not been properly served, and alternatively, has been improperly joined. As such, its citizenship

is not considered when determining citizenship of the parties for purposes of removal. *Texas Brine Co., LLC v. American Arbitration Assoc, Inc.*, 955 F.3d 482, 486 (5th Cir. 2020). Regardless, neither the entity Noble Leasing II (Switzerland) GmbH nor Paragon Offshore Leasing (Switzerland) are a citizen of the State of Louisiana.

14.

Defendant, Shell Oil Company, is a Delaware corporation with a principal place of business in the State of Texas. It is not a citizen of the State of Louisiana.

15.

Defendant, Shell Offshore Inc. is a Delaware corporation with a principal place of business in the State of Texas. It is not a citizen of the State of Louisiana.

16.

Plaintiff is a citizen of Louisiana. No properly joined and served Defendants are citizens of Louisiana. Thus, complete diversity is present. This Court therefore has original subject matter jurisdiction under 28 U.S.C. § 1332.

IV. Alternatively, Jurisdiction Under 28 U.S.C. § 1333 (Admiralty)

17.

Alternatively, this Court also has original subject matter jurisdiction under 28 U.S.C. § 1333. Plaintiff has alleged claims under 33 U.S.C. § 905(b) of the LHWCA as modified by the General Maritime Law of the United States related to his alleged presence aboard a vessel located on navigable waters.

REMOVAL PROCEDURE

18.

This matter is removable under 28 U.S.C. § 1441, in that it is a civil action over which the United States District Court for the Western District of Louisiana has original subject matter jurisdiction under 43 U.S.C. § 1349 and/or 28 U.S.C. § 1331, 28 U.S.C. § 1332, and 28 U.S.C. § 1333.

I. The Savings to Suitors Clause.

19.

As set forth above, this Court has original subject matter jurisdiction under 43 U.S.C. § 1349 (OCSLA). And alternatively, this Court has original subject matter jurisdiction under 28 U.S.C. § 1331 (federal question) and/or 28 U.S.C. § 1332 (diversity).

20.

The “savings to suitors clause” does not guarantee Plaintiff a nonfederal forum or limit the right of defendants to remove such action to federal court where there exists some basis for federal jurisdiction other than admiralty. *Barker v. Hercules Offshore, Inc.*, 713 F.3d 208, 220 (5th Cir. 2013); *Tennessee Gas Pipe v. Houston Cas. Ins. Co.*, 87 F.3d 150, 152-153 (5th Cir. 1996).

21.

Instead, removal of allegedly maritime cases is permissible as long as there is an independent basis for federal jurisdiction like OCSLA. Further, “federal courts retain their original federal question jurisdiction under OCSLA even where maritime law eventually provides the substantive rule of decision.” *Barker v. Hercules Offshore, Inc.*, 713 F.3d 208, 220 (5th Cir. 2013); *Morris v. T.E. Marine Corp.*, 344 F.3d 439, 444 (5th Cir. 2003).

22.

Here, there is an independent basis for federal jurisdiction besides admiralty, including, but not limited to, 43 U.S.C. § 1349 (OCSLA), 28 U.S.C. § 1331 (federal question), and/or 28 U.S.C. § 1332 (diversity). Accordingly, the “savings to suitors clause” contained in 28 U.S.C. § 1333 does not prevent removal of this action.

II. Venue and Timeliness.

23.

Venue is proper in this court pursuant to 28 U.S.C. § 1446(a) because Acadia Parish, from which the state court action has been removed, belongs to and/or forms part of this District and the Lafayette Division.

24.

Defendant, Noble Drilling (U.S.) LLC, was served on November 2, 2021, with a copy of the Petition for Damages and a Citation issued by the 15th Judicial District Court for the Parish of Acadia. See Exhibit “A,” at page 52.

25.

Noble Drilling has filed this Notice of Removal within thirty (30) days of it being served on November 2, 2021. Accordingly, this Notice of Removal is timely pursuant to 28 U.S.C. § 1446(b)(1).

III. Consent to Removal.

26.

Under 28 U.S.C. § 1446(b)(2)(A), in certain removals “all defendants who have been properly joined and served must join in or consent to the removal of the action.”

27.

Named Defendants to this matter, Noble Drilling Services LLC f/k/a Noble Drilling Services, Inc. and Noble Drilling Holding LLC, to this removal as evidenced by their signed Written Consent to Removal, which is attached hereto as Exhibit “B.”

28.

Named Defendants to this matter, Shell Oil Company and Shell Offshore Inc. consent to this removal as evidenced by their signed Written Consent to Removal, which is attached hereto as Exhibit “C”.

29.

Named Defendant to this matter, Noble Leasing II (Switzerland) GmbH, is a defunct entity that has not been served and/or was improperly joined. As such, all defendants who have been properly joined and served join in or consent to the removal of this action.

IV. Other Matters.

30.

In accordance with the provisions of 28 U.S.C. § 1446(a), Noble Drilling attaches as Exhibit “A” to this Notice of Removal, a true and correct copy of all process, pleadings, and Orders filed in the action entitled “*John Guidry versus Noble Drilling (U.S.), LLC, Noble Drilling Services, Inc., Noble Drilling Holding, LLC, Noble Leasing II (Switzerland) GmbH, Shell Oil Company, and Shell Offshore, Inc.*” Docket No. 202110772F, 15th Judicial District Court for the Parish of Acadia, State of Louisiana.

31.

Written notice of the filing of this Notice of Removal will be given to Plaintiff, as required by the provisions of 28 U.S.C. § 1446(d).

32.

A true and correct copy of this Notice of Removal will be filed with the Clerk of Court for the 15th Judicial District Court for the Parish of Acadia, State of Louisiana, as required by the provisions of 28 U.S.C. § 1446(d).

WHEREFORE, Defendant, Noble Drilling (U.S.) LLC hereby removes this action to the United States District Court for the Western District of Louisiana.

Respectfully submitted:

KEAN MILLER LLP

**TIMOTHY WAYNE STRICKLAND (TX #19396298)
STACEY TYREE NORSTRUD (TX #24025363)**

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/s/ Robert M. Kallam
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ATTORNEYS FOR NOBLE DRILLING (U.S.), LLC AND NOBLE
DRILLING SERVICES LLC F/K/A NOBLE DRILLING SERVICES
INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this the 17th day of November, 2021, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system which will send a notice of electronic filing to all counsel of record. I further certify that I mailed the foregoing document and the notice of electronic filing by first-class mail to those who are non-CM/ECF participants.

/s/ Robert Kallam
Robert Kallam